

E&C PRIMER:

EPA: Clean Air Act Hearings, Legislation, and Oversight

(112TH-114TH Congresses)

December 2016

Overview

Since 2011, the Committee on Energy and Commerce has conducted oversight and hearings and advanced legislation to develop a substantial record on matters relating to the Clean Air Act (CAA). This body of work is reflected in more than 50 hearings and the 18 legislative proposals considered and favorably reported to the full House, as well as in the related oversight and investigations. The Committee's extensive record has identified a wide range of legal and practical questions and concerns that have been raised by states, stakeholders, and the public relating to many of the agency's most controversial CAA rulemakings.

The Committee's CAA work largely focused on the agency's expanding suite of rules relating to carbon dioxide (CO₂) and other greenhouse gases (GHGs), including the "Clean Power Plan" as well as [over 100 GHG related rules](#); "National Ambient Air Quality Standards" (NAAQS); "New Source Performance Standards" (NSPS) and "Maximum Achievable Control Technology" (MACT) standards; as well as CAA rules for fuels and mobile sources, including the "Renewable Fuel Standard" (RFS). Hearings have developed information concerning the cumulative impacts of regulation on the energy, manufacturing, and other critical sectors of the economy.

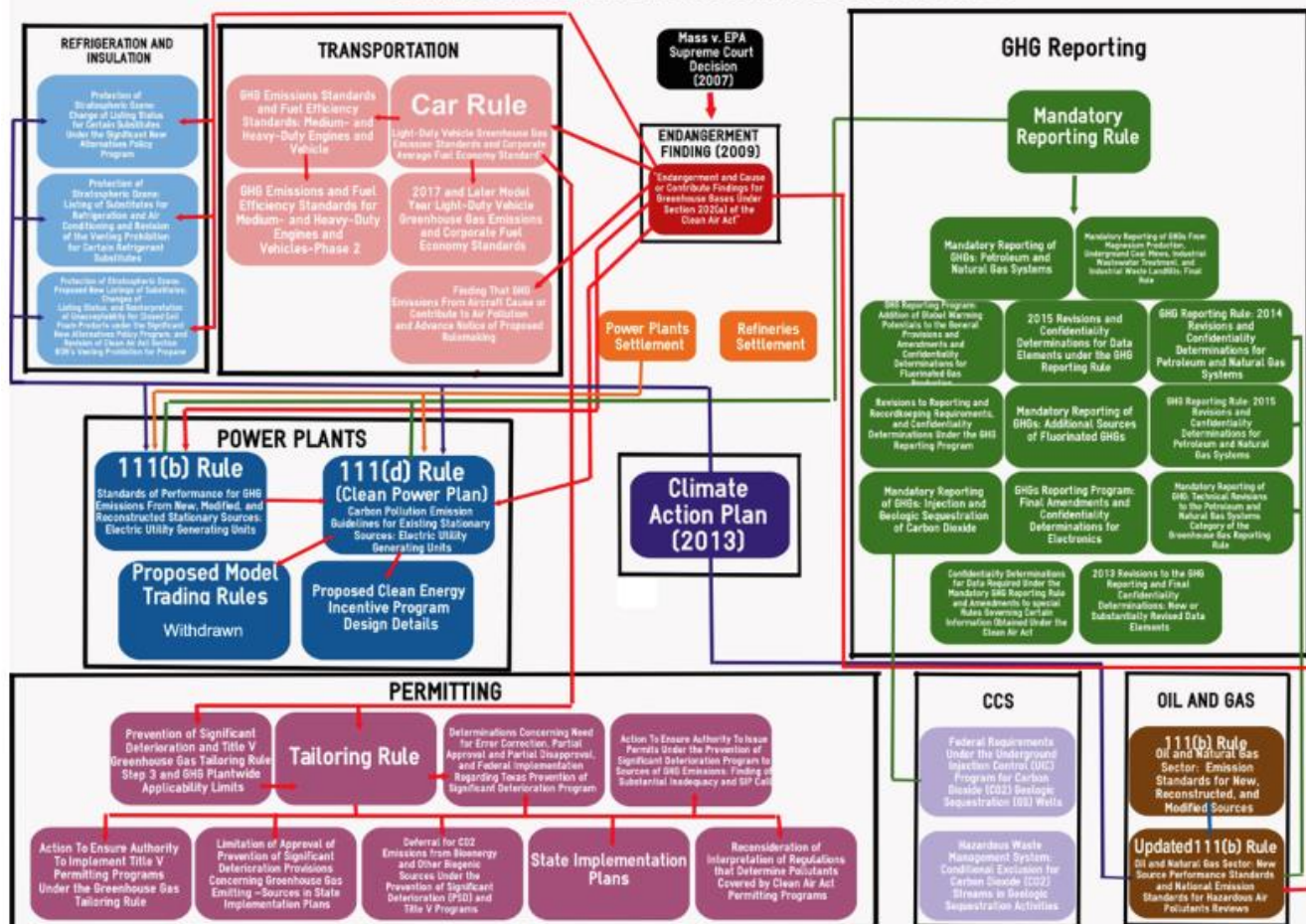
In the course of this work, the Committee specifically highlighted questions and concerns relating to whether certain of these rulemakings exceed the scope of the agency's statutory authority under the Act. The hearings, legislation and oversight have also examined the complexity of the regulations and the regulatory burdens and costs, as well as technical, and other implementation challenges, associated with specific rulemakings.

The following appendices provide links to the Committee's CAA related hearings, legislation, and oversight materials during the 112th – 114th Congresses:

- Appendix 1: GHG Regulations
- Appendix 2: Hearings and Forums
- Appendix 3: Legislation
- Appendix 4: Amicus Briefs
- Appendix 5: Staff Reports
- Appendix 6: Correspondence

APPENDIX 1

OBAMA ADMINISTRATION EPA GREENHOUSE GAS RULES*



*Prepared by Energy and Commerce Committee Majority Staff. This chart does not reflect all EPA GHG-related rules since 2009. For a list of rules, see <http://energycommerce.house.gov/sites/reppublics.energycommerce.house.gov/files/documents/114/analysis/20161219GHGRULES.pdf> Updated: December 2016

APPENDIX 2
E&C CLEAN AIR ACT RELATED HEARINGS AND FORUMS
(112th – 114th Congresses)
By Topic

COMMITTEE HEARINGS

For links to the hearings, transcripts, memoranda, testimony and hearing records for the Committee on Energy and Commerce's Subcommittee on Energy and Power, Subcommittee on Oversight & Investigations, and Subcommittee on Commerce, Manufacturing and Trade, examining various EPA regulations affecting the energy, manufacturing and industrial sectors, see below:

Budget Hearings:

1. "[The Fiscal Year 2017 EPA Budget](#)," March 22, 2016, Hearing Record Not Yet Available
2. "[The Fiscal Year 2016 EPA Budget](#)," Feb. 25, 2015, [Serial No. 114-11](#)
3. "[The Fiscal Year 2015 EPA Budget](#)," April 2, 2014, [Serial No. 113-133](#)
4. "[The Fiscal Year 2014 EPA Budget](#)," May 16, 2013, [Serial No. 113-42](#)
5. "[The Fiscal Year 2013 EPA Budget](#)," Feb. 28, 2012, [Serial No. 112-119](#)
6. "[The Fiscal Year 2012 EPA Budget](#)," March 11, 2011, [Serial No. 112-19](#)

Hearings Relating to Greenhouse Gas Rules

7. "[H.R. ___, The Energy Tax Prevention Act of 2011](#)," Feb. 9, 2011, [Serial No. 112-2](#)
8. "[EPA's GHG Regulations and Their Effect on American Jobs](#)," March 1, 2011, [Serial No. 112-12](#)
9. "[Climate Science and EPA's Greenhouse Gas Regulations](#)," March 8, 2011, [Serial No. 112-16](#)
10. "[EPA's Greenhouse Gas and Clean Air Act Regulations: A Focus on Texas' Economy, Energy Prices and Jobs](#)," March 24, 2011, [Serial No. 112-26](#)
11. "[The American Energy Initiative: A Focus on EPA's Greenhouse Gas Regulations](#)," June 19, 2012, [Serial No. 112-151](#)
12. "[The American Energy Initiative, Part 21: A Focus on the New Proposal by the Environmental Protection Agency to Tighten National Standards for Fine Particulate Matter in the Ambient Air](#)," June 28, 2012, [Serial No. 112-157](#)
13. "[The American Energy Initiative: A Focus on EPA's Greenhouse Gas Regulations](#)," June 29, 2012, [Serial No. 112-158](#)
14. "[The American Energy Initiative: Field Hearing Re: EPA's Proposed New Source Performance Standards for Utilities and the Impact this Regulation Will Have on Jobs](#)," July 16, 2012, [Serial No. 112-165](#)

15. [“The American Energy Initiative: A Focus on H.R. 6172,”](#) Sept. 20, 2012, [Serial No. 112-179](#)
16. [“American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio,”](#) March 5, 2013, (see also related [press release](#)), [Serial No. 113-12](#)
17. [“The Obama Administration’s Climate Change Policies and Activities,”](#) Sept. 18, 2013, [Serial No. 113-82](#)
18. [“EPA’s Proposed GHG Standards for New Power Plants and H.R. _____, Whitfield-Manchin Legislation,”](#) November 14, 2013; [Serial No. 113-94](#) [Note: Committee Report cover page incorrectly identifies the hearing date as Feb. 13, 2013]
19. [“Department of Energy Oversight: Status of Clean Coal Programs,”](#) Feb. 11, 2014, [Serial No. 113-118](#)
20. [“EPA’s Proposed Carbon Dioxide Regulations for Power Plants,”](#) June 19, 2014, [Serial No. 113-155](#)
21. : [“FERC Perspectives: Questions Concerning EPA’s Proposed Clean Power Plan and other Grid Reliability Challenges,”](#) July 29, 2014, [Serial No. 113-168](#)
22. [“State Perspectives: Questions Concerning EPA’s Proposed Clean Power Plan,”](#) Sept. 9, 2014, [Serial No. 113-172](#)
23. [“EPA’s Proposed 111\(d\) Rule for Existing Power Plants: Legal and Cost Issues,”](#) March 17, 2015, [Serial No. 114-20](#)
24. [“EPA’s Proposed 111\(d\) Rule for Existing Power Plants, and H.R. _____, Ratepayer Protection Act,”](#) April 14, 2015, [Serial No. 114-29](#)
25. [“EPA’s CO2 Regulations for New and Existing Power Plants,”](#) Oct. 7, 2015, [Serial No. 114-83](#)
26. [“EPA’s CO2 Regulations for New and Existing Power Plants: Legal Perspectives,”](#) Oct. 22, 2015, [Serial No. 114-90](#)
27. [“Midterm Review and Update on the Corporate Average Fuel Economy Program and Greenhouse Gas Emissions Standards For Motor Vehicles,”](#) Sept. 22, 2016, Hearing Record Not Yet Available; see *also* Nov. 30, [Press Release](#) entitled “E&C Leaders Comment on EPA’s Proposed Emissions Standards”

Hearings Relating to Renewable Fuel Standard

28. [“RIN Fraud: EPA’s Efforts to Ensure Market Integrity in the Renewable Fuels Program,”](#) July 11, 2012, [Serial No. 112-161](#)
29. [“Overview of the Renewable Fuel Standard: Government Perspectives,”](#) June 26, 2013, [Serial No. 113-61](#)

30. [“Overview of the Renewable Fuel Standard: Stakeholder Perspectives,”](#) July 23 & 24, 2013, [Serial No. 113-73](#)
31. [“The Renewable Fuel Standard – Implementation Issues,”](#) June 22, 2016, Hear Record Not Yet Available

Hearings Relating to National Ambient Air Quality Standards (NAAQS) Rules

32. [“H.R. 1633, The Farm Dust Regulation Prevention Act of 2011,”](#) Oct. 25, 2011, [Serial No. 112-99](#)
33. [“The American Energy Initiative, Part 21: A Focus on the New Proposal by the Environmental Protection Agency to Tighten National Standards for Fine Particulate Matter in the Ambient Air,”](#) June 28, 2012, [Serial No. 112-157](#)
34. [“Promoting New Manufacturing Act,”](#) May 21, 2014; [Serial No. 113-147](#)
35. [“EPA’s Proposed Ozone Rule,”](#) June 12, 2015; [Serial No. 114-53](#)
36. [“EPA’s Proposed Ozone Rule: Potential Impacts on Manufacturing,”](#) June 16, 2015; [Serial No. 114-56](#)
37. [“H.R. 4775, Ozone Standards Implementation Act of 2016,”](#) April 14, 2016, [Serial No. 114-134](#)

Hearings Relating to Maximum Achievable Control Technology (MACT) Rules

38. [“The American Energy Initiative, Part 5: Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plans, and Utilities,”](#) April 15, 2011, [Serial No. 112-41](#)
39. [“H.R. 2250, The EPA Regulatory Relief Act of 2011, and H.R. 2681, The Cement Sector Regulatory Relief Act of 2011,”](#) Sept. 8, 2011, [Serial No. 112-82](#)
40. [“The American Energy Initiative, Part 15: What EPA’s Utility MACT Rule Will Cost U.S. Consumers,”](#) Feb. 8, 2012, [Serial No. 112-113](#)
41. [“H.R. 3797, the Satisfying Energy Needs and Saving the Environment \(SENSE\) Act and H.R. , the Blocking Regulatory Interference from Closing Kilns \(BRICK\) Act,”](#) Feb. 3, 2016, [Serial No. 114-113](#)

Hearings Relating to Cumulative Impacts of Regulation

42. [“The American Energy Initiative, Part 3: Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011,”](#) April 7, 2011, [Serial No. 112-35](#)
43. [“The American Energy Initiative, Part 12: Impacts of the Environmental Protection Agency’s New and Proposed Power Sector Regulations on Electric Reliability,”](#) Sept. 14, 14, 2011, [Serial No. 112-83](#)

44. [“Regulatory Reform Series #7 – The EPA’s Regulatory Planning, Analysis, and Major Actions,” Sept. 22, 2011,”](#) Sept. 22, 2011, [Serial No. 112-87](#)
45. [“The American Energy Initiative, Part 18: A Focus on Legislative Responses to Rising Gasoline Prices,”](#) March 28, 2012, [Serial No. 112-133](#)
46. [“Legislative Hearing on the Energy Consumers Relief Act of 2013,”](#) April 12, 2013, [Serial No. 113-30](#)
47. [“EPA’s Regulatory Threat to Affordable, Reliable Energy: The Perspective of Coal Communities,”](#) Oct. 29, 2013, [Serial No. 113-89](#)
48. [“Benefits of and Challenges to Energy Access in the 21st Century: Electricity,”](#) Feb. 27, 2014, [Serial No. 113-121](#)
49. [“A Review of EPA’s Regulatory Activity During the Obama Administration: Energy and Industrial Sectors,”](#) July 6, 2016, Hearing Record Not Yet Available*

Hearings Relating to EPA Enforcement

50. [“EPA Enforcement Priorities and Practices,”](#) June 6, 2012, [Serial No. 112-147](#)
51. [“Volkswagen’s Emissions Cheating Settlement: Questions Concerning ZEV Program Implementation,”](#) Dec. 6, 2016, Hearing Record Not Yet Available

Hearings Relating to Montreal Protocol (Substances that Deplete the Ozone Layer)

52. [“H.R. ___, the ‘U.S. Agricultural Sector Relief Act of 2012,’ and ‘H.R. ___, the ‘Asthma Inhalers Relief Act of 2012,’”](#) July 18, 2012, [Serial No. 112-168](#)

Note: Hearing records for the hearings listed above that have not yet been published by the GPO will be made available at <https://www.gpo.gov/fdsys/>.

CLEAN AIR ACT FORUMS

For links to the forums, agendas, participant questions, and participant responses, see below:

1. [Clean Air Act Forum \(Part I\)](#), July 31, 2012
2. [Clean Air Act Forum \(Part II\)](#), August 2, 2012
3. [Clean Air Act Forum \(Part III\)](#), Nov. 29, 2012

APPENDIX 3
CLEAN AIR ACT RELATED LEGISLATION
(112th – 114th Congresses)
By Topic

For CAA related legislation advanced by the Committee on Energy and Commerce's Subcommittee on Energy and Power during the 112th, 113th and 114th Congresses, and related links, see below:

GREENHOUSE GAS RULES

1. H.R. 910, Energy Tax Prevention Act (112th Congress): *"To amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes."*

- Legislative Hearing: "[H.R. 910, The Energy Tax Prevention Act of 2011](#)," Feb. 9, 2011, [Serial No. 112-2](#)
- Additional Related Hearings: "[EPA's GHG Regulations and Their Effect on American Jobs](#)," March 1, 2011, [Serial No. 112-12](#); "[Climate Science and EPA's Greenhouse Gas Regulations](#)," March 8, 2011, [Serial No. 112-16](#); "[EPA's Greenhouse Gas and Clean Air Act Regulations: A Focus on Texas' Economy, Energy Prices and Jobs](#)," March 24, 2011, [Serial No. 112-26](#)
- House Committee Report: [112-50](#)
- Related E&C Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 4/7/11 by recorded vote: [255-172](#)

2. H.R. 3826, Electricity Security and Affordability Act (113th Congress): *"To provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes."*

- Legislative Hearing: "[EPA's Proposed GHG Standards for New Power Plants and H.R. 3826, Whitfield-Manchin Legislation](#)," November 14, 2013; [Serial No. 113-94](#) [Note: Committee Report cover page incorrectly identifies the hearing date as Feb. 13, 2013.]
- Additional Related Hearings: "[The American Energy Initiative: A Focus on EPA's Greenhouse Gas Regulations](#)," June 19, 2012, [Serial No. 112-151](#); "[The American Energy Initiative: A Focus on EPA's Greenhouse Gas Regulations](#)," June 29, 2012, [Serial No. 112-158](#); "[The American Energy Initiative: Field Hearing Re: EPA's Proposed New Source Performance Standards for Utilities and the Impact this Regulation Will Have on Jobs](#)," July 16, 2012, [Serial No. 112-165](#); "[The American Energy Initiative: A Focus on H.R. 6172](#)," Sept. 20, 2012, [Serial No. 112-179](#); "[American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio](#)," March 5, 2013, [Serial No. \(see also related press release\)](#), [Serial No. 113-12](#)
- House Committee Report: [113-365](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 3/6/14 by recorded vote: [229-183](#)

3. **H.R. 724, Amending the Clean Air Act to Remove the Requirement for Dealer Certification of New Light-Duty Motor Vehicles** (113th Congress): *“To amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles”*
 - Legislative Hearing: N/A
 - House Committee Report: House Report - [113-320](#); Senate Report – [113-144](#)
 - Floor Action: Passed House on Motion to Suspend the Rules and Pass on 1/8/2014, and passed Senate by unanimous consent and signed by the President on 6/09/2014, [Public Law 113-109](#)

4. **H.R. 2042, Ratepayer Protection Act** (114th Congress): *“To allow for judicial review of any final rule addressing carbon dioxide emissions from existing fossil fuel-fired electric utility generating units before requiring compliance with such rule, and to allow States to protect households and businesses from significant adverse effects on electricity ratepayers or reliability.”*
 - Legislative Hearing: [“EPA’s Proposed 111\(d\) Rule for Existing Power Plants, and H.R. 2042, Ratepayer Protection Act,”](#) April 14, 2015, [Serial No. 114-29](#)
 - Additional Related Hearings: [“EPA’s Proposed 111\(d\) Rule for Existing Power Plants: Legal and Cost Issues,”](#) March 17, 2015, [Serial No. 114-20](#); [“State Perspectives: Questions Concerning EPA’s Proposed Clean Power Plan,”](#) Sept. 9, 2014, [Serial No. 113-172](#); [“FERC Perspectives: Questions Concerning EPA’s Proposed Clean Power Plan and other Grid Reliability Challenges,”](#) July 29, 2014, [Serial No. 113-168](#); [“EPA’s Proposed Carbon Dioxide Regulations for Power Plants,”](#) June 19, 2014, [Serial No. 113-155](#); [“Benefits of and Challenges to Energy Access in the 21st Century: Electricity,”](#) Feb. 27, 2014, [Serial No. 113-121](#); [“The Obama Administration’s Climate Change Policies and Activities,”](#) Sept. 18, 2013, [Serial No. 113-82](#); [“American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio,”](#) March 5, 2013, [Serial No. \(see also related press release\), Serial No. 113-12.](#)
 - House Committee Report: [114-171](#)
 - Related Materials: [Fact Sheet](#)
 - Floor Action: Passed by House on 6/24/15 by recorded vote: [247-180](#)

5. **H.J. Res. 71, Congressional Review Act Joint Resolution Relating to EPA’s “Carbon Pollution Standards” for New Power Plants (a/k/a “111(b) Rule”)** (114th Congress): *“Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ‘Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electricity Utility Generating Units.’”*
 - Legislative Hearings: [“EPA’s CO2 Regulations for New and Existing Power Plants,”](#) Oct. 7, 2015, [Serial No. 114-83](#); [“EPA’s CO2 Regulations for New and Existing Power Plants: Legal Perspectives,”](#) Oct. 22, 2015, [Serial No. 114-90.](#)
 - House Committee Report: [114-348](#)
 - Related Materials: [Fact Sheet](#); Nov. 18, 2015 [Press Release](#)
 - Floor Action: S.J. Res. 23 (identical to H.J. Res. 71) was passed by the House on 11/19/15 by a recorded vote of [235-188](#). This [joint resolution](#) was transmitted to President on Dec. 18, 2015 and was [vetoed](#)

6. **H.J. Res. 72, Congressional Review Act Resolution Relating to EPA's "Clean Power Plan" for Existing Power Plants ((a/k/a "111(d) Rule"))** (114th Congress): *"Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to 'Carbon Pollution Emissions Guidelines for Existing Stationary Sources: Electric Utility Generating Units.'"*
- Legislative Hearings: "[EPA's CO2 Regulations for New and Existing Power Plants](#)," Oct. 7, 2015, [Serial No. 114-83](#); "[EPA's CO2 Regulations for New and Existing Power Plants: Legal Perspectives](#)," Oct. 22, 2015, [Serial No. 114-90](#)
 - House Committee Report: [114-349](#)
 - Related Materials: [Fact Sheet](#); Nov. 18, 2015 [Press Release](#); Sept. 23, 2016 [E&C Primer: The Obama Administration's Clean Power Plan](#)
 - Floor Action: [S.J. Res. 24](#) (which was identical to H.J. Res. 72) was passed by the House on 11/19/15 by a recorded vote of [242-180](#). This [joint resolution](#) transmitted to the President on Dec. 18, 2015 and was [vetoed](#)

NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) RULES

7. **H.R. 1633, Farm Dust Regulation Prevention Act of 2011** (112th Congress): *"To establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes."*
- Legislative Hearing: "[H.R. 1633, The Farm Dust Regulation Prevention Act of 2011](#)," Oct. 25, 2011, [Serial No. 112-99](#)
 - House Committee Report: [112-316](#)
 - Related Materials: [Fact Sheet](#)
 - Floor Action: Passed by House on 12/8/11 by recorded vote: [268-150](#)
8. **H.R. 4795, Promoting New Manufacturing Act** (113th Congress): *"To promote new manufacturing in the United States by providing for greater transparency and timeliness in obtaining necessary permits, and for other purposes."*
- Legislative Hearing: "[Promoting New Manufacturing Act](#)," May 21, 2014; [Serial No. 113-147](#)
 - House Committee Report: [113-488](#)
 - Related Materials: [Fact Sheet](#)
 - Floor Action: Passed by House on 11/20/14 by recorded vote: [238-172](#)
9. **H.R. 4775, Ozone Standards Implementation Act of 2016** (114th Congress): *"To facilitate efficient State implementation of ground-level ozone standards, and for other purposes."*
- Legislative Hearing: "[H.R. 4775, Ozone Standards Implementation Act of 2016](#)," April 14, 2016, [Serial No. 114-134](#)
 - Additional Related Hearings, Forums: "[EPA's Proposed Ozone Rule](#)," June 12, 2015; [Serial No. 114-53](#); "[EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing](#)," June 16, 2015; [Serial No. 114-56](#); *see also* [Clean Air Act Forum \(Part I\)](#), July 31, 2012; [Clean Air Act Forum \(Part II\)](#), August 2, 2012; [Clean Air Act Forum \(Part III\)](#), Nov. 29,

2012; see also July 28, 2015 [Press Release](#) Re: Roundtable on EPA's Proposed Ozone Rule

- House Committee Report: [114-598](#) (Part 1 of 2) and [114-598](#) (Part 2 of 2)
- Related E&C Materials: [Fact Sheet](#); [Section-by-Section](#); [Statements of Support](#); [Letters of Support](#); [Press Release](#)
- Floor Action: Passed by House 6/8/16 by recorded vote: [234-177](#)

MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) RULES

10. H.R. 2681, Cement Sector Regulatory Relief Act (112th Congress): *"To provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes."*

- Legislative Hearing: "[H.R. 2250, The EPA Regulatory Relief Act of 2011, and H.R. 2681, The Cement Sector Regulatory Relief Act of 2011.](#)" Sept. 8, 2011, [Serial No. 112-82](#)
- Additional Related Hearings: "[The American Energy Initiative, Part 5: Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plans, and Utilities.](#)" April 15, 2011, [Serial No. 112-41](#)
- House Committee Report: [112-227](#)
- Related Materials: [Fact Sheet](#); January 10, 2012 [Press Release](#)
- Floor Action: Passed by House on 10/6/11 by recorded vote: [262-161](#)

11. H.R. 2250, EPA Regulatory Relief Act (112th Congress): *"To provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes."*

- Legislative Hearing: "[H.R. 2250, The EPA Regulatory Relief Act of 2011, and H.R. 2681, The Cement Sector Regulatory Relief Act of 2011.](#)" Sept. 8, 2011, [Serial No. 112-82](#)
- Additional Related Hearings: "[The American Energy Initiative, Part 5: Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plans, and Utilities.](#)" April 15, 2011, [Serial No. 112-41](#)
- House Committee Report: [112-225](#)
- Related Materials: [Fact Sheet](#); [Jobs-at-Risk State Summary](#)
- Floor Action: Passed by House on 10/13/11 by recorded vote: [275-142](#)

12. H.R. 4557, BRICK Act (114th Congress): *"To allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule."*

- Legislative Hearing: "[H.R. 3797, the Satisfying Energy Needs and Saving the Environment \(SENSE\) Act and H.R. , the Blocking Regulatory Interference from Closing Kilns \(BRICK\) Act.](#)" Feb. 3, 2016, [Serial No. 114-113](#)
- House Committee Report: [114-439](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 3/1/16 by recorded vote: [238-163](#)

13. H.R. 3797, SENSE Act (114th Congress): *“To establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy.”*

- Legislative Hearing: [“H.R. 3797, the Satisfying Energy Needs and Saving the Environment \(SENSE\) Act and H.R. , the Blocking Regulatory Interference from Closing Kilns \(BRICK\) Act,”](#) Feb. 3, 2016, [Serial No. 114-113](#)
- House Committee Report: [114-445](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 3/15/16 by recorded vote: [231-183](#)

CUMULATIVE IMPACTS OF REGULATIONS

14. H.R. 2401, TRAIN Act (112th Congress): *“To require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes.”*

- Legislative Hearing: [“The American Energy Initiative, Part 3: Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011,”](#) (“TRAIN Act”) April 7, 2011, [Serial No. 112-35](#)
- House Committee Report: [112-208](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 9/23/11 by recorded vote: [249-169](#)

NOTE: H.R. 2401 and H.R. 910 were also included in H.R. 3409, Stop the War on Coal Act (a/k/a “Coal Miner Employment and Domestic Energy Infrastructure Protection Act) (112th Congress):

- Legislative Hearing: See hearings for Energy Tax Prevention Act, TRAIN Act
- House Committee Report: [112-670](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: On 9/21/2012 passed by House by recorded vote: [233-175](#)

15. H.R. 4471, Gasoline Regulations Act of 2012 (112th Congress): *“To require analyses of the cumulative impacts of certain rules and actions of the Environmental Protection Agency that impact gasoline, diesel fuel, and natural gas prices, jobs, and the economy, and for other purposes.”*

- Legislative Hearing: [“The American Energy Initiative, Part 18: A Focus on Legislative Responses to Rising Gasoline Prices,”](#) March 28, 2012, [Serial No. 112-133](#)
- House Committee Report: [112-519](#)
- Related Materials: March 23, 2012 [Press Release](#); May 17, 2012 [Press Release](#)
- Floor Action: HR 4471 was included in H.R. 4480, the Domestic Energy and Jobs Act (see [Fact Sheet](#)), passed by House on 6/21/12 by recorded vote: [248-163](#)

16. H.R. 1582, Energy Consumers Relief Act (113th Congress): *“To protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as*

final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy.”

- Legislative Hearing: “[Legislative Hearing on the Energy Consumers Relief Act of 2013](#),” April 12, 2013, [Serial No. 113-30](#)
- House Committee Report: [113-164](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: Passed by House on 8/1/13 by recorded vote: [232-181](#)

Title VI of CAA (Montreal Protocol)

17. H.R. 6194, U.S. Agricultural Sector Relief Act (112th Congress): *“To ensure the viability and competitiveness of the United States agricultural sector.”*

- Legislative Hearing: “[H.R. , the ‘U.S. Agricultural Sector Relief Act of 2012,’ and ‘H.R. , the ‘Asthma Inhalers Relief Act of 2012,’](#)” July 18, 2012, [Serial No. 112-168](#)
- House Committee Report: [112-679](#)
- Related Materials: [Fact Sheet](#)
- Floor Action: On 9/19/12, placed on the Union Calendar

18. H.R. 6190, Asthma Inhalers Relief Act (112th Congress): *“To direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers.”*

- Legislative Hearing: “[H.R. , the ‘U.S. Agricultural Sector Relief Act of 2012,’ and ‘H.R. , the ‘Asthma Inhalers Relief Act of 2012,’](#)” July 18, 2012, [Serial No. 112-168](#)
- House Committee Report: [112-673](#)
- Related Materials: [Fact Sheet](#); Nov. 15, 2011 [Letter](#) to EPA and Dec. 23, 2011 EPA [Response](#)
- Floor Action: On motion to suspend the rules and pass on 12/12/12, failed by recorded vote: [229-182](#)

APPENDIX 4
CONGRESSIONAL AMICUS BRIEFS RELATING TO CLEAN AIR ACT
(112th – 114th Congresses)

1. ***State of West Virginia et al v. Environmental Protection Agency***, Case No. 15-1363
(and consolidated cases), U.S. Court of Appeals for the District of Columbia Circuit
 - [Brief](#) in Support of Petitioners (filed 2/23/2016)
 - Feb. 23, 2016 Related [Press Release](#)
2. ***American Electric Power Company Inc., et al. v. Connecticut***, No. 10-174, Supreme Court of the United States
 - [Brief](#) in Support of Petitioners (filed 2/7/2011)
 - Feb. 7, 2011 Related [Press Release](#)

APPENDIX 5
SELECTED STAFF REPORTS RELATING TO CLEAN AIR ACT
(112th – 114th Congresses)
By Topic

Clean Power Plan:

1. ["EPA's Proposed CO2 Regulations for Existing Power Plants: Critical Issues Raised in Hearings and Oversight"](#), Dec. 16, 2014
2. [Clean Power Plan Background](#) (October 2016)

Renewable Fuel Standard:

1. ["Renewable Fuel Standard Assessment White Paper, Blend Wall/Fuel Compatibility Issues"](#), March 20, 2013; see also related [press release](#)
2. ["Renewable Fuel Standard Assessment White Paper, Agricultural Sector Impacts"](#), April 18, 2013; see also related [press release](#)
3. ["Renewable Fuel Standard Assessment White Paper, Greenhouse Gas Emissions and Other Environmental Impacts"](#), May 9, 2013; see also related [press release](#)
4. ["Renewable Fuel Standard Assessment White Paper, Energy Policy"](#), June 7, 2013; see also related [press release](#)
5. ["Renewable Fuel Standard Assessment White Paper, Implementation Issues"](#), July 11, 2013; see also related [press release](#)

Permitting Challenges:

1. ["Major Projects, Major Problems, Can Anything Big Under the Obama Administration"](#), Sept. 15, 2014

APPENDIX 6
SELECTED CORRESPONDENCE RELATING TO CLEAN AIR ACT
(112th – 114th Congresses)
By Topic

1. Electricity Sector: GHG New Source Performance Standards for New Power Plants (a/k/a “111(b) Rule”):

- Joint EPW/E&C March 2, 2011 [Letter](#) to EPA regarding Settlement and EPA March 10, 2011 [Response](#)
- May 9, 2011 [Letter](#) to EPA and July 27, 2011 [Response](#)
- May 18, 2011 [Letter](#) and [Press Release](#) and EPA Aug. 3, 2011 [Response](#)
- July 14, 2011 [Letter](#) to EPA and EPA Sep. 21, 2011 [Response](#)
- May 17, 2012 [Letter](#) to EPA and EPA June 28, 2012 [Response](#)
- Feb. 1, 2012 [Letter](#) to OMB Director
- Feb. 23, 2012 [Letter](#) from over 230 House Members of Congress to OMB
- Nov. 15, 2013 [Letter](#) to EPA and related [Press Release](#) and March 12, 2014 [Letter](#) to EPA and related [Press Release](#); EPA May 9, 2014 [Response](#)

2. Electricity Sector: GHG Guidelines for Existing Power Plants (a/k/a “Clean Power Plan” or “111(d) Rule”):

- Joint EPW/E&C March 2, 2011 [Letter](#) to EPA regarding Settlement and EPA March 10, 2011 [Response](#)
- May 15, 2015 Joint EPW/E&C [Letter](#) to EPA (and [Press Release](#)) and EPA Sept. 11, 2015 [Response](#)
- Nov. 2, 2015 [Letter](#) to EPA and EPA Nov. 18, 2015 [Initial Response](#) ([Footnote 1](#), [Footnote 2](#))
- May 13, 2016 [Letter](#) to EPA regarding Stay and related [Press Release](#) and EPA Aug. 18, 2016 [Response](#); see also Sept. 23, 2016 [Press Release](#)

3. Oil & Gas Sector: 2012 New Source Performance Standards (VOC Regulations)

- March 28, 2012 [Letter](#) to EPA and EPA June 28, 2012 [Response](#).

4. Oil & Gas Sector: 2016 New Source Performance Standards (Methane Regulations):

- Nov. 24, 2015 [Letter](#) and Dec. 3, 2015 EPA [Response](#)

5. Electricity Sector: Utility MACT Rule (a/k/a “Mercury and Air Toxics” or “MATS”):

- Nov. 8, 2011 [Letter](#) to EPA, EPA Dec. 8, 2011 [Response](#), and EPA February 27, 2012 [Response](#)
- December 13, 2011 [Letter](#) to OMB
- Jan. 24, 2012 [Letter](#), EPA and EPA May 8, 2012 [Response](#)
- Feb. 22, 2012 [Letter](#) to White House Chief of Staff
- April 20, 2012 [Letter](#) to White House Chief of Staff
- June 8, 2012 [Letter](#) to EPA

6. NAAQS: Particulate Matter Standards:

- June 6, 2012 [Letter](#) to EPA
- Nov. 16, 2012 [Letter](#) to EPA and EPA Feb. 8, 2013 [Response](#)

7. NAAQS: Ozone Standards:

- March 8, 2011 [Letter](#) to EPA and EPA May 13, 2011 [Response](#)
- July 28, 2011 [Letter](#) to EPA and related [Press Release](#)
- Nov. 13, 2014 [Letter](#) to EPA and EPA Feb. 23, 2015 [Response](#)
- July 29, 2015 [Letter](#) to White House Chief of Staff (including list of national, state and local organizations and stakeholders supporting retention of existing ozone standard)

8. Significant New Alternatives Policy Program (SNAP) Rules:

- April 1, 2015 [Letter](#) to EPA and [Press Release](#) and EPA May 22, 2015 [Response](#)
- Sept. 13, 2016 [Letter](#)

9. Risk Management Plan Rule:

- May 6, 2016 [Letter](#) to EPA and May 18, 2016 EPA [Response](#)

10. Cost and Benefits Calculations:

- Dec. 14, 2011 [Letter](#) to EPA; Feb. 3, 2012 EPA [Response](#); EPA May 4, 2012 Supplemental [Response](#) and [Attachment](#) (relating to estimated costs and benefits of proposed Cement NESHAP)

11. Notices of Intent to Sue and Rulemaking Petitions:

- Nov. 30, 2012 [Letter](#) to EPA and related [Press Release](#), and EPA April 15, 2013 [Response](#).

12. Fuel Sector and Refinery Rulemakings:

- December 19, 2011 [Letter](#) to EPA and February 27, 2012 [Response](#)

13. Primatene Mist –CFCs:

- November 15, 2011 [Letter](#) to EPA and Dec. 23, 2011 [Response](#)

14. Methyl Bromide:

- July 6, 2012 [Letter](#) to EPA and Aug. 23, 2012 [Response](#)

15. Renewable Fuel Standard:

- February 3, 2012 [Letter](#) to EPA and Feb. 23, 2012 [Response](#)
- May 24, 2012 [Letter](#) to EPA and June 28, 2012 [Response](#)

16. Climate Related Expenditures:

- December 9, 2016 [Letter](#) to OMB